

**Acton Board of Health**

**Minutes**

**November 6, 2006**

Members Present: William McInnis, Chairman, William Taylor, Vice Chairman and Joanne Bissetta, Member.

Staff Present: Doug Halley, Health Director and Sheryl Ball.

Others Present: Betsy Purcell, League of Women Voters Observer, Michael B. Penault, PE, David Johnson and Jeff Rosenberg.

The meeting was called to order at 7:30 p.m.

**Minutes**

On a motion made by Ms. Bissetta, seconded by Dr. Taylor, the Board unanimously voted to accept the minutes of October 16, 2006 as amended.

**Hearing – Administrative Hold on Private Wells**

On June 24, 2002 the Board of Health placed an administrative hold on all proposed well applications within 500' of the plume of contamination associated with the W.R. Grace Superfund site. The hold has been extended by the Board of Health on numerous occasions and is due to expire on December 25, 2006. A Record of Decision (ROD) has been issued by the EPA. The Remedial Design/Remedial Action has just started. EPA doesn't anticipate that the administrative controls will address future wells in and adjacent to the plume until July 2008. Mr. Halley stated that there have been no requests for wells within the 500' of the plume. The Health Department recommends that the Board extend the administrative hold until July 1, 2008 so that the interaction between private wells and the contaminant plume will be avoided until

EPA is ready to implement the administrative controls. On a motion made by Dr. Taylor, seconded by Ms. Bissetta, the Board unanimously voted to extend the administrative hold on all proposed well applications within 500' of the plume of contamination associated with the W.R. Grace Superfund site until July 1, 2008.

### **Board Signatures**

**5 Patrick Henry Circle** - Mr. Halley presented the Board with the betterment agreement for the property located at 5 Patrick Henry Circle for Board signature. Mr. Halley explained to the Board that the betterment is a loan provided to the homeowner for 10 years at 2% and the money was provided from the state.

**Colonial Path/Sylvia Street** - Mr. Halley presented the Board with the three grants of Title 5 Nitrogen Loading Restriction and Easement for the Colonial Path subdivision on Sylvia Street for Board signature.

### **Variance - 172 School Street**

The applicant is requesting a variance from Article 11-6.1.1 to allow for the reduction in the required setback from the septic system to a wetland for the property located at 172 School Street. The Board previously granted this variance in June, 2003 allowing the septic system to be placed 50' from the wetland. This site has recently changed hands and the new applicants have placed the septic system 52' feet away from the wetlands placing it 2' further away from the original approved plan. The previous plan has expired. The system also been designed with a Fast System which will provide secondary treatment of the wastewater. The Health Department believes that maximum feasible compliance has been met as the applicant has provided equivalent environmental compensation. Mr. McInnis stated that the Board's rationale for granting these variances on new construction in the past is that tertiary treatment be provided to further protect the groundwater. On a motion made by Dr. Taylor, seconded by Ms. Bissetta, the Board unanimously voted to grant a variance from Article 11-6.1.1 to the property located at 172 School Street with the following conditions:

1. The MicroFAST unit shall, at all times in perpetuity, be governed by the most recent General Use Approval issued by MADEP for the unit.
2. The system shall be built in accordance with a plan stamped by Michael Perrault, PE dated 10/18/2006.

#### **Variance – Lot 2 Spring Farm Circle**

The Health Department is in receipt of a request for a variance to Article 16-4.2.10 for a reduction in the setback from a septic system to a retention basin from the owners of Lot 2 Spring Farm Circle. The Health Department has reviewed this request and finds that the soils are coarse and do not allow for the transport of waste water beyond a small area. Additionally the elevation of the leaching field has been designed at a lower elevation to prevent any potential breakout to enter the retention basin. On a motion made by Ms. Bissetta, seconded by Dr. Taylor, the Board unanimously voted to grant a variance from Article 16-4.2.10 to the property located at Lot 2 Spring Farm Circle with the following conditions:

1. The septic tank shall be pumped a minimum of once every two years.
2. An MADEP approved effluent tee filter shall be installed on the outlet of the septic tank.
3. The system shall be constructed in accordance with the above listed conditions, and a plan stamped by Joseph March, PE dated 10/3/2006.

#### **Variance – Lot 3 Spring Farm Circle**

The Health Department is in receipt of a request for a variance to Article 16-4.2.10 for a reduction in the setback from a septic system to a retention basin from the owners of Lot 3 Spring Farm Circle. The Health Department has reviewed this request and finds that the soils are coarse and do not allow for the transport of waste water beyond a small area. Additionally the elevation of the leaching field has been designed at a lower elevation to prevent any potential breakout to enter the retention basin. On a motion made by Ms. Bissetta, seconded by Dr. Taylor, the Board unanimously voted to grant a variance from Article 16-4.2.10 to the property located at Lot 3 Spring Farm Circle with the following conditions:


1. The septic tank shall be pumped a minimum of once every two years.
2. An MADEP approved effluent tee filter shall be installed on the outlet of the septic tank.

3. The system shall be constructed in accordance with the above listed conditions, and a plan stamped by Joseph March, PE dated 10/3/2006.

**Adjournment**

On a motion made by Ms. Bissetta, seconded by Dr. Taylor, the Board unanimously voted to adjourn the Board of Health meeting at 8:30 P.M.

Respectfully Submitted,

  
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Sheryl Ball, Health Secretary

Acton Board of Health

  
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William McInnis, Chairman

Acton Board of Health